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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**
15

16 LAS VEGAS SUN, INC., a Nevada
17 corporation,

18 Plaintiff,

19 v.

20 SHELTON ADELSON, an individual and as
the alter ego of News+Media Capital Group
21 LLC and as the alter ego of Las Vegas Review
Journal, Inc.; PATRICK DUMONT, an
22 individual; NEWS+MEDIA CAPITAL
GROUP LLC, a Delaware limited liability
23 company; LAS VEGAS REVIEW-JOURNAL,
INC., a Delaware corporation; and DOES, I-X,
24 inclusive,

25 Defendants.
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27
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Case No. 2:19-cv-01667-GMN-VCF

**JOINT STATUS REPORT PURSUANT TO
ECF NO. 484**

1 LAS VEGAS REVIEW-JOURNAL, INC., a
2 Delaware corporation,

3 Counterclaimant,

4 v.

5 LAS VEGAS SUN, INC., a Nevada
6 corporation; BRIAN GREENSPUN, an
7 individual and as the alter ego of Las Vegas
8 Sun, Inc.; GREENSPUN MEDIA GROUP,
9 LLC, a Nevada limited liability company, as
10 the alter ego of Las Vegas Sun, Inc.,

11 Counterclaim-
12 Defendants.

Pursuant to the Special Master's October 4, 2021 Order re: Protocol for Resolving Discovery Disputes and Deposition Scheduling (ECF No. 484), the Parties hereby submit this Joint Status Report identifying: (1) the status of document productions not yet completed; (2) the status of depositions scheduled and those for which a witness has been noticed but not yet scheduled.

I. Status of Document Productions Not Yet Complete

a. Defendants' and Non-Parties' Outstanding Document Production Obligations

Defendants and non-party Russel Pergament¹ have agreed to produce the following categories of documents in response to document requests from the Sun:²

- **RFPs 541, 543, and 545:** On November 3, 2021, the RJ agreed to produce user data, page view data, and consolidated reports compiled by Google Analytics from August 2016 forward, compiled by Parse.ly from October 2019 forward, and, to the extent not already produced, compiled by Nielsen Scarborough from December 2015 forward. The Sun accepted this proposal on November 9, 2021. The RJ has since produced the relevant Google Analytics and Parse.ly data and is in the process of finalizing its production of Nielsen Scarborough data.
- **November 18 Agreements.** On November 18, 2021, Defendants agreed to review the results of 12 additional searches requested in the Sun's October 25, 2021 correspondence, totaling approximately 3,000 documents (Search Nos. 43, 329, 423, 424, 425, 426, 427, 436, 441, 446, 447, 579, and 687).
- **November 26 Agreements.** On November 26, 2021, Defendants agreed to review and produce responsive documents based on new ESI-based searches in response to the Sun's Request Nos. 510 and 511. Defendants also agreed to conduct ESI-based searches and produce additional documents, if any, responsive to the Sun's Request No. 91, as well as disclose the ESI-based searches it performed.

¹ Defendants' counsel also represents non-party Russel Pergament.

² Defendants recently completed their production of documents identified in the parties' previous Joint Status Report filed November 1, 2021.

- **December 3 Agreements.** On November 29, 2021, Defendants addressed the balance of requests from the Sun's October 25, 2021 correspondence regarding Defendants' search terms and custodians. Defendants offered to undertake a series of additional searches requested by the Sun in order to provide a global resolution to the parties' outstanding disputes regarding Defendants' search terms and custodians. The Sun accepted Defendants' proposal on December 3. On November 29, 2021, Mr. Pergament agreed to review and produce responsive documents, if any, culled by the Sun's search terms. Defendants will produce all responsive documents within the applicable 45-day window set by the October 4, 2021, Order.

Consistent with Defendants' ongoing obligations under Rule 34, Defendants will supplement their productions on an ongoing basis to ensure that their productions are complete and up to date.

b. The Sun's Outstanding Document Production Obligations

The Sun does not have any outstanding document production obligations.

II. Status of Depositions

a. Depositions Taken and Already Scheduled

The following depositions have occurred or been scheduled in the manner indicated below:³

Deponents	Deposing Party	Dates
Dumont, Patrick*	Plaintiff	October 28, 2021
O'Connor, Steven	Plaintiff	December 9, 2021
Pergament, Russel	Plaintiff	December 13, 2021
Anderson, Ric	Defendants	December 22, 2021
Moyer, Keith	Plaintiff	January 6, 2022
Sun (Rule 30(b)(6))	Defendants	January 12, 2022 ⁴

³ An asterisk (*) denotes depositions that have already taken place.

⁴ The Sun has objected to Defendants' Rule 30(b)(6) notice. The parties met and conferred on November 23, 2021, regarding the Sun's objections.

Deponents	Deposing Party	Dates
Cain, Elizabeth	Defendants	January 19, 2022
Greenspun, Brian	Defendants	January 25, 2022
Moon, Craig	Plaintiff	January 27, 2022
Cauthorn, Robert	Defendants	February 2, 2022
Schroeder, Michael	Plaintiff	February 4, 2022

DATED this 6th day of December 2021.

DATED this 6th day of December 2021.

LEWIS ROCA ROTHGERBER CHRISTIE LLP KEMP JONES LLP

By: /s/ Kristen Martini

By: /s/ Michael Gayan

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PROOF OF SERVICE

I hereby certify that on the 6th day of December, 2021, I served a true and correct copy of the foregoing **JOINT STATUS REPORT PURSUANT TO ECF NO. 484** via the United States District Court's CM/ECF electronic filing system to all parties on the e-service list.

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